

REMARKS

Claims 1-12 are currently pending in this application as amended. By this Reply, claims 1 and 9 have been amended as noted above. No new matter has been introduced in the application by these amendments.

In the Action, claims 1-12 were finally rejected as anticipated by U.S. Patent 6,545,246 to Kummle. Applicant respectfully traverses this rejection.

The present Action and the features of the present invention were discussed with the Examiner during a telephone interview on January 17, 2006. During the telephone interview, the distinction between the operation of the present invention and Kummle was discussed and recognized as not being disclosed by this reference. Briefly, this distinction is due to the control system for the welding head of the present invention shifting the position of the weld point in the profile transport direction while the welding energy is switched off, beginning from an initial position in a region where the weld seam has ended, when the profile is at a stand still. The weld point is then moved back to the initial position where the weld seam ended, against the direction of transport, after restarting the transport movement and exceeding the transport speed at which the welding energy is switched on.

The present invention is not suggested or disclosed by Kummle, which suggests moving the weld point in the transport direction during movement of the profile being welded to provide a better weld with higher energy for a given point as the relative speed between the welding head and the profile being welded would then be less than the speed that the profile travels in order to allow for lower power welding.

While some proposed claim language was discussed during the interview in order to accurately capture this distinction, the specific language was not agreed upon, and the Examiner indicated that a further search and review would be necessary.

In view of the distinction of the present invention from the prior art and the discussion with the Examiner, it is believed that independent claims 1 and 9 now both accurately and clearly capture this distinction from Kummle, and accordingly,

withdrawal of the section 102 rejection in view of this reference is respectfully requested. The remaining claims depend from claims 1 or 9 and should be similarly patentable.

The undersigned wishes to thank the Examiner for the courtesies extended during the telephone interview, and believes that the above summary accurately reflects the discussion. If the Examiner believes that any additional minor matters need to be addressed in order to place this application in condition for allowance, or that a further telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing Amendment and Remarks, Applicant respectfully submits that the present application, including claims 1-12, is in condition for allowance, and a Notice to that effect is respectfully requested.

Respectfully submitted,

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